

NCA
VOC FOR IOP/FM
BACKGROUNDER NO. 1-0747
FRED GALVAN

MAY 10, 1976

LAW OF THE SEA -- THE CRUCIAL PHASE

ANNCR:

THE UNITED NATIONS LAW OF THE SEA CONFERENCE ENDED EIGHT WEEKS OF HARD WORK FRIDAY -- WORK DESIGNED TO PRODUCE A UNIVERSAL CODE OF LAW GOVERNING RELATIONS BETWEEN NATIONS SIMILAR TO THE INTERNATIONAL BODY OF LAW REGULATING THEM ON LAND. VOA'S FRED GALVAN HAS THIS BACKGROUND REPORT ON WHAT THE JUST-CONCLUDED NEW YORK CONFERENCE ACHIEVED -- AND WHAT REMAINS TO BE DONE.

VOICE:

SOME HARD COMPROMISES WERE STRUCK AT THE NEW YORK MEETING -- AND SOME EVEN HARDER STILL REMAIN TO BE REACHED. THE GENERAL HOPE OF THE MORE THAN ONE HUNDRED FIFTY NATIONS REPRESENTED AT THE LAW OF THE SEA CONFERENCE IS THAT AT LEAST SOME -- IF NOT ALL -- OF THE COMPROMISES NECESSARY TO PRODUCE A COMPREHENSIVE LAW OF THE SEA WILL BE REACHED AT THE NEXT SESSION OF THE U.N. SPONSORED MEETING -- AGAIN SCHEDULED FOR SEVEN WEEKS IN NEW YORK BEGINNING AUGUST SECOND.

THE SESSION JUST ENDED, HOWEVER, PRODUCED SOME SIGNIFICANT ADVANCES FOR A PROJECT THAT HAS TAKEN MORE THAN THIRTY YEARS TO REACH PROXIMITY TO ITS GOAL. THE DELEGATES WORKING MOSTLY IN CLOSED SESSIONS REACHED GENERAL AGREEMENT ON SUCH ISSUES AS AN EXTENSION OF THE TERRITORIAL SEA CONCEPT FROM ITS TRADITIONAL THREE MILE LIMIT TO TWELVE MILES BY COASTAL STATES. CONSENSUS ALSO CAME AFTER HARD BARGAINING ON A NEW CONCEPT -- THE CREATION OF AN ECONOMIC

ZONE OF TWO HUNDRED MILES FOR COASTAL STATES. GENERAL ACCEPTANCE ALSO WAS ACHIEVED ON CERTAIN ASPECTS OF INTERNATIONAL CONTROL OF POLLUTION OF THE WORLD'S SEAS CAUSED BY INTERNATIONAL SHIPPING.

BUT THE EIGHT-WEEK CONFERENCE FAILED TO REACH AGREEMENT ON OTHER ISSUES GENERALLY CONCEDED TO BE CRUCIAL TO THE WHOLE CONCEPT OF A COMPREHENSIVE INTERNATIONAL BODY OF MARITIME LAW. HEADING THE LIST OF THESE OUTSTANDING KEY PROBLEMS IS THAT OF EQUITABLE DISTRIBUTION OF THE MINERAL WEALTH OF THE DEEP SEA-BED. THE DEVELOPING NATIONS WANT DEEP SEA-BED RESOURCES TO BE UNDER THE CONTROL OF AN INTERNATIONAL AUTHORITY. THE INDUSTRIALIZED COUNTRIES, HOWEVER, PREFER A MIXED SYSTEM. THAT IS TO SAY, ONE THAT PROVIDES FOR PRIVATE EXPLOITATION OF MINERALS BUT ALSO PROVIDES INTERNATIONAL SHARING OF THE WORLD'S UNDERWATER WEALTH.

OTHER ISSUES ON WHICH THE NEW YORK MEETING FAILED TO REACH CONSENSUS INCLUDE QUESTIONS AFFECTING LAND-LOCKED NATIONS OR THOSE WITH SHORT COASTLINES. THEY WANT THE FINAL TREATY TO PROVIDE FOR ACCESS BY THEM TO THE ECONOMIC ZONES OF MORE GEOGRAPHICALLY FAVORED NATIONS. STILL ANOTHER OUTSTANDING ISSUE IS THAT OF SCIENTIFIC RESEARCH -- THESE SAME LAND-LOCKED AND GEOGRAPHICALLY DISADVANTAGED NATIONS HAVE JOINED OTHERS IN THE DEVELOPING WORLD IN RESISTING UNRESTRICTED RIGHTS FOR TECHNICALLY-ADVANCED NATIONS TO CARRY OUT SCIENTIFIC RESEARCH IN TERRITORIAL OR ECONOMIC WATERS OF SOME OF THEM.

THESE, THEN, ARE A SAMPLING OF THE PROBLEMS THAT THE NEXT SEVEN-WEEK SESSION WILL FACE. CONFERENCE PRESIDENT HAMILTON S. AMERASINGHE OF SRI LANKA SAID THAT MEETING TASK WILL BE TO IDENTIFY AND RESOLVE THE ISSUES ON WHICH A CONSENSUS IS STILL NEEDED. BUT HE DID NOT SOUND TOO HOPEFUL THAT THE AUGUST SESSION WOULD GO BEYOND THAT LIMITED GOAL TO PRODUCE A FINAL COMPREHENSIVE LAW OF THE SEA TREATY.

HOWEVER, OTHER DELEGATES WERE SLIGHTLY MORE OPTIMISTIC. U.S. CHIEF DELEGATE T. VINCENT LEARSON, FOR EXAMPLE, SAID THE JUST-ENDED MEETING HAD MADE MEASURABLE PROGRESS TOWARD ITS ULTIMATE AIM. AND HE ADDED THAT PROSPECTS FOR COMPLETION OF WORK ON THE OVER-ALL TREATY IN AUGUST AND SEPTEMBER ARE BETTER THAN FIFTY PERCENT.

FFG/GH/PY